

**COMMON COUNCIL**

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

**TWENTY-FIRST REGULAR MEETING**

The Council met: Monday, February 6, 2012.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Absent and Excused: Kittelson and Matichek □ 2.

On motion by Alderperson Dekker and second by Alderperson Hammond, the reading of the minutes of the Twentieth Regular Meeting held January 16, 2012, was approved as entered on the record, all Alderpersons present voting "Aye".

**RESIGNATIONS**

February 2, 2012

Mayor's Office

City of Sheboygan

828 Center Ave

Sheboygan, WI 53081

RE: Resignation on IDC

Dear Mayor Ryan, Common Council, and IDC Members,

I respectfully ask that I be removed from the Industrial Development Commission as soon as possible. After residing in the great State of Wisconsin and City of Sheboygan for over 50 years, my wife and I will be moving to Massachusetts towards the end of February, 2012.

You may be aware we have been involved with mission work in Haiti and we will now be working as full-time volunteers with Mission E4, the organization we work and travel with to Haiti.

I greatly enjoyed serving on this commission since May, 1992 and would like to thank you Mayor Ryan, all the past Mayors, Alderpersons, and citizens that I served with over the past 20 years. Your dedication and work is highly commendable. Even though we will live many miles away, we will always consider Sheboygan our home.

Sincerely,

Terry Renzelmann

On motion by Alderperson Dekker and second by Alderperson Hammond, the Resignation was accepted and placed on file, all Alderpersons present voting "Aye".

**PUBLIC FORUM**

Charlie Krebs, 906 Logan Ave., Richard Suscha, 15 N. Point Dr., Joe Sagal, 1522 Alabama Ave., Carl Schaffenburg, 630 Ontario Ave. and Eric Neave, 711 N. 5<sup>th</sup> St. spoke.

**MAYOR'S ANNOUNCEMENTS**

**HEARING**

**Hearing No. 10 - 11 - 12. February 6, 2012.**

Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the text of the City of Sheboygan Official Zoning Ordinance to repeal and recreate the text of Subsection 15.205(12) relating to regulations applicable to large scale buildings, so as to include industrial buildings.

All interested persons will now be heard.

No persons appeared regarding this hearing and on motion by Alderperson Dekker and second by Alderperson Hammond, the foregoing hearing was closed, all Alderpersons present voting "Aye".

On motion by Alderperson Dekker and second by Alderperson Hammond, the following documents notated with an asterick (\*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**REPORTS OF OFFICERS**

**\*R. O. No. 350 - 11 - 12. By CITY CLERK. February 6, 2012.**

February 6, 2012

Submitting an application for a private well permit for Chad L. Senkbeil, 4428 S. 8<sup>th</sup> St., to use it for lawn sprinkling.

**\*R. O. No. 351 - 11 - 12. By CITY PLAN COMMISSION. February 6, 2012.**

Your Commission to whom was referred R. O. No. 341-11-12 submitting a request from Chad Pelishek, Development Manager, to allow U.S. Army Corps of Engineers and their consultant, Ecology and Environment, Inc, at no cost to the City, to prepare an invasive species control and management plan (ISCMP) which will be inclusive of specific measures to target the invasive species present at the Schuchardt Property; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 24, 2012, and after due consideration, recommends approval of the request.

**R. O. No. 352 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a Summons and Complaint in the matter of Bank of America vs. Susan M. Hansen et al.  
Was referred to the Special Committee on Risk Management.

**R. O. No. 353 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a communication from Mary Christian requesting a reimbursement of approximately \$1,400 from her Personal Property Tax Bill for 2011 and the Prepared Statement of Personal Property from 2011 on which it was based.  
Was referred to the Special Committee on Risk Management.

**R. O. No. 354 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a claim for excessive assessment from Walgreen Co., tenants of 3 properties in the City of Sheboygan.  
Was referred to the Special Committee on Risk Management.

**R. O. No. 355 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a claim for excessive assessment from JFM1, owner of property at 3347 Kohler Memorial Dr. (Memorial Mall).  
Was referred to the Special Committee on Risk Management.

**R. O. No. 356 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a communication from the Sheboygan County Taxpayers Alliance questioning why the Alderpersons haven't introduced a referendum question about a full-time or part-time Mayor.  
Was referred to the Committee of the Whole.

**R. O. No. 357 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a communication from Richard Hartmann stating that the outcome of the upcoming mayoral recall election, no matter the winner, must not prevent the quasi-judicial hearing from happening, for it is the only way to put the matter behind us.  
Was referred to the Committee of the Whole.

**R. O. No. 358 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a communication from Pheuk Kue requesting a waiver from the Sex Offender Residency Restrictions in order to live at 2831A S. 10<sup>th</sup> St.  
Was referred to the Committee on Public Protection and Safety.

**R. O. No. 359 - 11 - 12. By CITY CLERK. February 6, 2011.**

Submitting various license applications.

**SECONDHAND ARTICLE & JEWELRY(December 31, 2012)**

No.	Name	Address
2691	THR & Associates Inc.	3200 Pleasant Run, Springfield, IL

**TEMPORARY BEVERAGE OPERATOR'S LICENSE**

No.	Name
8519	Junker, Daniel R.

**TEMPORARY CLASS "B" LICENSE**

No.	Name	Address
1166	Holy Name Parish	807 Superior Ave. – one-day event to be Held 3/3/12 at 814 Superior Ave. to include Auditorium, Gym & Kitchen.

- |      |                            |   |
|------|----------------------------|---|
| 2380 | Sheb. Cty. Motorcycle Club | 2601 N. 15 <sup>th</sup> St. – one-day event to be held 2/26/12 at Jakums Hall to include premise and fry area south of Building. |
| 1345 | Sheb. Outboard Club        | 2601 N. 15 <sup>th</sup> St. – one-day event to be held 3/4/12 at Jakums Hall to include premise and outside south delivery entr. |
| 2008 | Theater For Young Audience | 2425 S. 11 <sup>th</sup> St. – one-day event to be held 2/18/12 at 411 St. Clair Ave. to include the dining area.                 |
| 2541 | Sheboygan Visual Arts      | 1201 Erie Ave. – one-day event to be held 2/24/12 & 3/30/12 to include the first floor of EBCO Artworks.                          |

On motion by Alderperson Dekker and second by Alderperson Hammond, the Report of Officer was accepted and placed on file, all Alderpersons present voting “Aye”.

**R. O. No. 360 - 11 - 12. By REDEVELOPMENT AUTHORITY. February 6, 2012.**

Your Authority met and discussed the Option to Negotiate and Purchase Agreement with Claremont New Frontier Resort, LLC, for the sale of land in the South Pier District and recommends approval of the agreement.

On motion by Alderperson Hammond and second by Alderperson Dekker, the Report of Officer was accepted and placed on file, all Alderpersons present voting “Aye”.

**R. O. No. 361 - 11 - 12. By CITY CLERK. February 6, 2012.**

Submitting a communication from Albert Webster requesting a waiver to the sex offender residency restrictions in order to live at 1310 N. 14<sup>th</sup> St.

Was referred to the Committee on Public Protection and Safety.

**R. O. No. 362 - 11 - 12. By CITY CLERK. February 6, 2011.**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

**RESOLUTION INTRODUCED**

**Res. No. 126 - 11 - 12. By Alderperson Sampson. February 6, 2012.**

**A RESOLUTION** accepting a deed from the Redevelopment Authority of a parcel of land along the Sheboygan River west of the railroad right-of-way along North 13th Street.

**RESOLVED:** That the City hereby accepts the deed from the Redevelopment Authority of a parcel of land along the Sheboygan River west of the railroad right-of-way along North 13th Street, a copy of which is attached hereto, to be used as part of the public recreation trail along the river.

On motion by Alderperson Sampson and second by Alderperson Versey, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 127 - 11 - 12. By Alderperson Bohren. February 6, 2012.**

**A RESOLUTION** authorizing advertising for bids for the resurfacing of Superior Ave. from 200' west of N. 13<sup>th</sup> St. to N. 6<sup>th</sup> St.

**RESOLVED:** That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.13 (3), Wisconsin Stats, for the resurfacing of Superior Ave. from 200' west of N. 13<sup>th</sup> St. to N. 6<sup>th</sup> St., according to the plans and specifications prepared by the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

A motion by Alderperson Bohren and second by Alderperson Heidemann to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Bohren and second by Alderperson Heidemann, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 128 - 11 - 12. By Alderpersons Hammond, Dekker, Boeldt, Bohren, Kittelson, Roeseler, Sampson, Van**

**Akkeren and VanderWeele. February 6, 2012.**

**A RESOLUTION** ratifying and implementing a special charge for garbage and refuse disposal services provided by the City.

**WHEREAS**, the Common Council, as part of its budget deliberations for the 2012 budget, adopted a motion to establish a City garbage collection charge of \$7.16 per month per household for 2012; to be reduced to \$5.00 per month per household for 2013 and 2014, and sunseting effective January 1, 2015; and

**WHEREAS**, the City Water Utility has agreed to provide administrative support through billing and collection of the garbage fee on the water bills.

**NOW, THEREFORE, BE IT RESOLVED:** That the Common Council hereby ratifies its action during the 2012 budget process establishing a special charge for residential garbage and refuse disposal services of \$7.16 per month per household commencing effective January 1, 2012; said special charge to be reduced to \$5.00 per month per household commencing January 1, 2013, with said special charge to expire effective January 1, 2015.

**BE IT FURTHER RESOLVED:** That the special garbage and refuse disposal charges levied in accordance with this resolution shall be a debt due to the City and if not paid within the time determined by the City, the charge shall be delinquent and become a lien upon the property. A late payment charge of three (3%) percent but not less than \$0.50 will be added to bills not paid within 20 days of issuance. This one-time three (3%) percent late payment charge will be applied only to any unpaid balance for the current billing period's charge. The household may be given a written notice that the bill

is overdue no sooner than 20 days after the bill is issued. Thereafter, if payment is not received prior to November 15, the delinquent bill will be placed on the succeeding tax roll, for collection and settlement under Chapter 74, Wis. Stats. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating charges imposed hereunder.

A motion by Alderperson Hammond and second by Alderperson Dekker to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Hammond and second by Alderperson Dekker, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Carlson, Dekker, Hammen, Hammond, Roeseler, Sampson, Van Akkeren, VanderWeele □ 9.

Nays: Bohren, Heidemann, Kath, Versey □ 4.

**Res. No. 129 - 11 - 12. By Alderperson Hammond. February 6, 2012.**

**A RESOLUTION** authorizing entering into an Intergovernmental Cooperation Agreement with the City of Sheboygan Falls for IT services.

**RESOLVED:** That the appropriate City officials are hereby authorized to execute the Intergovernmental Cooperation Agreement for Technical Support Services Between the City of Sheboygan and the City of Sheboygan Falls, a copy of which is attached hereto.

A motion by Alderperson Hammond and second by Alderperson Hammen to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Hammond and second by Alderperson Dekker, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 130 - 11 - 12. By Alderperson Bohren. February 6, 2012.**

**A RESOLUTION** authorizing advertising for bids for the 2012 Concrete Sidewalk Program.

**RESOLVED:** That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.13 (3), Wisconsin Stats, for the 2012 Concrete Sidewalk Program aforementioned, according to the plans and specifications prepared by the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

A motion by Alderperson Bohren and second by Alderperson Heidemann to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Bohren and second by Alderperson Heidemann, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 131 - 11 - 12. By Alderperson Hammond. February 6, 2012.**

February 6, 2012

**A RESOLUTION** authorizing retaining outside counsel in connection with proposed agreements among Claremont New Frontier Resort LLC, the Sokaogon Chippewa Community, the City and the Redevelopment Authority.

**RESOLVED:** That the Mayor is hereby authorized to accept on behalf of the City the attached retainer letter from Quarles & Brady LLP as special outside counsel for the City in connection with the proposed agreements among Claremont New Frontier Resort LLC and/or its affiliates, the Sokaogon Chippewa Community and/or its affiliates, the City and the Redevelopment Authority in connection with the possible purchase and sale of certain lands owned by the City and/or the Redevelopment Authority and the location on that land of a gaming casino.

A motion was made by Alderperson Hammond and second by Alderperson Carlson to suspend the rules, lost on call of the roll because it needs  $\frac{3}{4}$  vote of the full Council (12).

Ayes: Boeldt, Carlson, Dekker, Hammen, Hammond, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele □ 10.

Nays: Bohren, Heidemann, Versey □ 3.

Was referred to the Committee on Finance.

**Res. No. 132 - 11 - 12. By Alderpersons Hammond, Bohren, VanderWeele and Kittelson. February 6, 2012.**

**A RESOLUTION** approving the FY 2012 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission.

**WHEREAS**, \$793,502 in entitlement Community Development Block Grant (CDBG) funds is estimated in 2011 from the U.S. Department of Housing and Urban Development (HUD) to the City of Sheboygan for community development and housing activities, and

**WHEREAS**, the Strategic Fiscal Planning Committee has recommended to the Common Council that it approve the Final Statement of Community Development Objectives and Proposed Use of Funds, and

**WHEREAS**, the Strategic Fiscal Planning Committee further recommends to the Common Council that it authorize and direct the Mayor to execute the FY 2012 Community Development Block Grant submission, including the various certifications for the funds, and

**WHEREAS**, the Strategic Fiscal Planning Committee recommends the funds be distributed as follows:

Façade Renovations	\$ 50,000
Neighborhood Improvements	\$373,277
NRSA No. 1 Officers	\$ 30,000
Partners for Community Development	\$ 22,500
Rebuilding Together	\$ 40,000
Sheboygan Housing Assistance Center	\$ 30,000
Sheboygan County Interfaith Organ.	\$ 5,000
Family Service Association	\$ 5,000
Hmong Association	\$ 12,000
Safe Harbor	\$ 7,700
Home, Inc.	\$ 9,500
Mental Health America	\$ 2,000
Shoreline Metro	\$ 42,493
Family Connections	\$ 1,732
Tee Box, Inc.	\$ 3,600
Program Administration	\$158,700

**WHEREAS**, the Common Council has reviewed and hereby approves the Citizens Participation Plan for the development of this submission, and

**WHEREAS**, the Common Council finds that it is in the City's best interest to secure the FY 2012 funds for the activities approved by the Strategic Fiscal Planning Committee.

**NOW, THEREFORE, BE IT RESOLVED:** That the Common Council authorizes and directs the Mayor to submit to HUD the Final Statement of Community Development Objectives and Proposed Use of Funds, as recommended by the Strategic Fiscal Planning Committee, assurances contained therein and to provide any other information requested by HUD.

A motion by Alderperson Hammond and second by Alderperson Roeseler to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Hammond and second by Alderperson Dekker, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 133 - 11 - 12. By Alderpersons Roeseler, Versey, Dekker and Sampson. February 6, 2012.**

**A RESOLUTION** lifting the hiring freeze in order to hire one (1) Police Officer in the Police Department.

**February 6, 2012**

**WHEREAS**, the City of Sheboygan passed Resolution 122-11-12 that extended the hiring freeze to December 31, 2013;

**WHEREAS**, the hiring freeze allows for emergency exceptions upon approval of the Chief Administrative Officer and Council;

**WHEREAS**, the Chief Administrative Officer recently approved the Hiring Audit form to authorize hiring one (1) Police Officer.

**NOW, THEREFORE, BE IT RESOLVED:** That the Common Council hereby authorizes, as an emergency exception to the hiring freeze, the hiring of one (1) Police Officer in the Police Department.

On motion by Alderperson Roeseler and second by Alderperson Versey, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 134 - 11 - 12. By Alderpersons Roeseler, Versey, Dekker and Sampson. February 6, 2012.**

**A RESOLUTION** lifting the hiring freeze in order to hire one (1) Telecommunicator in the Police Department.

**WHEREAS**, the City of Sheboygan passed Resolution 122-11-12 that extended the hiring freeze to December 31, 2013;

**WHEREAS**, the hiring freeze allows for emergency exceptions upon approval of the Chief Administrative Officer and Council;

**WHEREAS**, the Chief Administrative Officer recently approved the Hiring Audit form to authorize hiring one (1) Telecommunicator.

**NOW, THEREFORE, BE IT RESOLVED:** That the Common Council hereby authorizes, as an emergency exception to the hiring freeze, the hiring of one (1) Telecommunicator in the Police Department.

On motion by Alderperson Roeseler and second by Alderperson Versey, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 135 - 11 - 12. By Alderperson Bohren. February 6, 2012.**

**A RESOLUTION** authorizing executing a one-year lease for the agricultural property in the Town of Wilson, formerly owned by John Poth, Jr.

Lies over under the rules.

**Res. No. 136 - 11 - 12. By Alderperson Bohren. February 6, 2012.**

**A RESOLUTION** authorizing entering into the Second Modification to the Project Agreement for Design and Dredging within the Sheboygan River Area of Concern.

**RESOLVED:** That the Mayor is hereby authorized to execute the Second Modification to the Project Agreement for Design and Dredging between the U.S. EPA and the Wisconsin DNR, the City of Sheboygan, the County of Sheboygan, Pollution Risk Services and the Wisconsin Public Service Corporation, in form substantially similar to the attached.

A motion by Alderperson Bohren and second by Alderperson Versey to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Bohren and second by Alderperson Versey, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**Res. No. 137 - 11 - 12. By Alderperson Bohren. February 6, 2012.**

**A RESOLUTION** to temporarily make the intersections of N. 8<sup>th</sup> St. and Superior Ave. and also the intersection of N. 9<sup>th</sup> St. and Superior Ave. a four-way stop for approximately six weeks after which time the Department of Public Works will either recommend making these four-way stops permanent or have these two intersections remain signalized.

Was referred to the Committee on Public Works.

**Res. No. 138 - 11 - 12. By Alderperson Hammond. February 6, 2012.**

**A RESOLUTION** authorizing the appropriate City officials to execute the Option to Negotiate and Purchase.

February 6, 2012

**RESOLVED:** That the Mayor and City Clerk are hereby authorized to execute the Option to Negotiate and Purchase between Claremont New Frontier Resort LLC, the Redevelopment Authority and the City, a copy of which is attached hereto.

Was referred to the Committee on Finance.

**Res. No. 139 – 11 – 12. By Alderpersons Bohren, Carlson, Dekker, Hammond, Hammen, Heidemann, Kath, Roeseler, Sampson and VanderWeele. February 6, 2012.**

**A RESOLUTION** approving the combining of dispatch services between the City of Sheboygan and Sheboygan County.

**WHEREAS**, a combined dispatch center will decrease dispatch times on 911 calls from cellphones by 1 to 1.5 minutes;

**WHEREAS**, by combining dispatch centers, only one set of management/supervisors will need to be hired;

**WHEREAS**, combining dispatch center will provide many benefits including standardized training and protocols, improved supervision and a legitimate Emergency Operations Center;

**WHEREAS**, combining dispatch centers and making the necessary infrastructure improvements will create the necessary redundancy and backup processes throughout the system.

**THEREFORE BE IT RESOLVED:** That the City of Sheboygan approves the recommendation of the City/County Shared Services committee and begin the process to implement a combined dispatch center to be initially housed at the Sheboygan Police Department under the oversight of the Sheboygan County Sheriff's Department. Additionally, that the one-time infrastructure costs estimated at \$356,822 be paid by the City of Sheboygan through the Capital Improvements Fund with approval of the Capital Improvements Commission.

A motion by Alderperson Bohren and second by Alderperson Boeldt to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Bohren and second by Alderperson Hammond, the foregoing Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, VanderWeele, Versey □ 12.

Nays: None.

Abstain: Van Akkeren □ 1.

#### REPORTS OF COMMITTEES

**\*R. C. No. 295 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. February 6, 2012.**

Your Committee to whom was referred the following:

1. Com. No. 16-11-12 from Carol Wheeler regarding her concerns over various issues in the City such as a possible casino and the issuing of parking tickets;
2. R. O. No. 301-11-12 by the City Clerk submitting a communication from Dr. Matthew Driscoll of James Madison Elementary School making various requests regarding safety issues; and
3. R. O. No. 346-11-12 by the City Clerk submitting a communication from Phil Ninnemann regarding his concerns about the ordinances that passed about the registration of vacant properties;

recommends that the documents be placed on file.

**\*R. C. No. 296 - 11 - 12. By PUBLIC WORKS. February 6, 2012.**

Your Committee to whom was referred the following:

1. A copy of Com. No. 16-11-12 from Carol Wheeler regarding her concerns over various items in the City such as a possible casino and the issuing of parking tickets; and
2. R. O. No. 349-11-12 by the City Clerk submitting a communication from Linda Shimon regarding her various suggestions and concerns about the garbage fees and how things are being handled;

recommends that the documents be placed on file.

**\*R. C. No. 297 - 11 - 12. By FINANCE. February 6, 2012.**

Your Committee to whom was referred R. O. No. 316-11-12 by the Board of Water Commissioners submitting the Sheboygan Water Utility's Budget for the year 2012; recommends that the document be accepted and placed on file.

**\*R. C. No. 298 - 11 - 12. By FINANCE. February 6, 2012.**

Your Committee to whom was referred R. O. No. 317-11-12 by the City Clerk submitting a communication from Lyn & Art Chevrier stating that they are appalled that we now have an additional assessment to the Water bill for covering a deficit for the garbage deficit; recommends that the document be placed on file.

**\*R. C. No. 299 - 11 - 12. By LAW AND LICENSING. February 6, 2012.**

February 6, 2012

Your Committee to whom was referred R. O. No. 318-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

No.	Name
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9410	Christman, Cynthia D.
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We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

**\*R. C. No. 300 - 11 - 12. By LAW AND LICENSING. February 6, 2012.**

Your Committee to whom was referred R. O. No. 330-11-12 by the City Clerk submitting an Alarm Business Permit License application #2663 for Vivint, Inc.; recommends that the license be approved.

**\*R. C. No. 301 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. February 6, 2012.**

Your Committee to whom was referred the following:

1. R. O. No. 343-11-12 by the Building Inspection Department for the month of November 2011;
2. R. O. No. 344-11-12 by the Building Inspection Department for the month of December 2011;
3. R. O. No. 345-11-12 by the Building Inspection Department for the year 2011;

recommends that the documents be placed on file.

**\*R. C. No. 302 - 11 - 12. By LAW AND LICENSING. February 6, 2012.**

Your Committee to whom was referred, pursuant to R. O. No. 342-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

CHANGE OF AGENT

Carmen Dolson is being replaced as agent by Sean Pieters for the Sheboygan Yacht Club, License #1353, effective as of 1/10/12

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

No.	Name
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9434	Altmann, Joshua M.
6932	Aschenbach, Kimberly A.
9439	Ball, Anthony H.
9427	Bedore, Amanda L.
9438	Billmann, Judith L.
9442	Bockin, Mary R.
9431	Burt, Brittany L.
9428	Daehnert, Kristine A.
9432	Faust, Aubrey M.
9445	Galante, Nicholas R.
7613	Klauber-Gordon, Lily A.
9433	Kohlhagen, Scott D.
7231	Kunstman, Christine
9446	Leon, Doris E.
8248	Lindsay, Leah M.
9443	Lopez, Shanna M.
9429	Ramirez, Donna S.
8247	Teubert, Abigail A.
9437	Valley, Elizabeth K.
9444	Van De Weghe, Jan J.
9435	Vanderloo, Jennifer R.

TAXICAB OPERATOR'S LICENSE (June 30, 2012)

No.	Name
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9441	Figueroa, Roberto
6725	Harrison, Renee H.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

**\*R. C. No. 303 - 11 - 12. By PUBLIC WORKS. February 6, 2012.**

Your Committee to whom was referred the following:

1. R. O. No. 323-11-12 by the Director of Public Works recommending engaging Donohue and Associates, Inc., to provide professional services associated with the installation of bio-solids disposal and handling



- equipment at the Wastewater Treatment Plant; and
2. Res. No. 121-11-12 by Ald. Bohren authorizing entering into agreement with Donohue and Associates, Inc., for engineering services associated with Solids Dewatering and Drying Improvements at the Wastewater Treatment Plant;

recommends that the Report of Officer be accepted and placed on file and the Resolution be passed.

**\*R. C. No. 304 - 11 - 12. By SALARIES AND GRIEVANCES. February 6, 2012.**

Your Committee to whom was referred Gen. Ord. No. 62-11-12 by Alderpersons Roeseler, Kittelson, Dekker, Versey and Sampson amending the Municipal Code so as to create the Job Description of Neighborhood/Development Specialist in the City Development Department for the City of Sheboygan; recommends that the attached Substitute Ordinance with amended Job Description be passed.

**R. C. No. 305 - 11 - 12. By LAW AND LICENSING. February 6, 2012.**

Your Committee to whom was referred R. O. No. 328-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9419 be sent to the full Common Council with no recommendation.

Krista Skogee spoke.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, the license was granted, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Roeseler, Sampson, Van Akkeren, Versey □ 11.

Nays: Kath □ 1.

Abstain: VanderWeele □ 1.

**R. C. No. 306 - 11 - 12. By LAW AND LICENSING. February 6, 2012.**

Your Committee to whom was referred, pursuant to R. O. No. 318-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License #9414 be denied based on his failure to accurately reveal all relevant convictions on his application and his failure to cooperate with the Committee.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

**R. C. No. 307 - 11 - 12. By FINANCE. February 6, 2012.**

Your Committee to whom was referred Res. No. 120-11-12 by Alderpersons Versey, Bohren, Heidemann and Sampson that the City of Sheboygan's Police Department, Fire Department, Department of Public Works, Library, and Transit Department reduce their current 2012 Budget by 2% wage and benefits and 1% non-wage for 2013; recommends that the Resolution be filed.

On motion by Alderperson Hammond and second by Alderperson Van Akkeren, the Report of Committee was accepted and adopted and the Resolution be filed, passed on call of the roll:

Ayes: Boeldt, Carlson, Dekker, Hammen, Hammond, Kath, Roeseler, Van Akkeren □ 8.

Nays: Bohren, Heidemann, Sampson, VanderWeele, Versey □ 5.

**RESOLUTIONS ON SECOND READING**

**\*Res. No. 121 - 11 - 12. By Alderperson Bohren. December 19, 2011.**

**A RESOLUTION** authorizing entering into agreement with Donohue & Associates for engineering services associated with Solids Dewatering and Drying Improvements at the wastewater treatment plant.

**WHEREAS**, the City is required to make improvements at the wastewater treatment plant to meet bio-solids storage requirements by the end of 2014, and

**WHEREAS**, Donohue and Associates has submitted a proposal to complete the engineering services for the improvement at a not to exceed cost of \$833,150, and

**WHEREAS**, the professional services contract is recommended to be awarded without competitive proposals as Donohue and Associates has a significant history with the project and provides a consistency of technical expertise.

**RESOLVED:** That the appropriate City Officials are hereby authorized and directed to enter into an agreement with Donohue & Associates, Inc. for engineering services associated with Solids Dewatering and Drying Improvements at the wastewater treatment plant in the amount of \$833,150 and payment of same from account number 60138300-521900.

# ORDINANCES ON SECOND READING

**\*Subs. of Gen. Ord. No. 62 – 11 - 12. By Alderpersons Roeseler, Dekker, Versey and Sampson. February 6, 2012.**

**AN ORDINANCE** amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to create the position of Neighborhood/Development Specialist along with the attached job description in the City Development Department for the City of Sheboygan.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 29-75 of the 1975 Sheboygan Municipal Code entitled, "List of Classes and Class Specifications," is hereby amended in Section 3 City Development Department as follows:

## 3. CITY DEVELOPMENT DEPARTMENT

	Job Code	Class Grade	NO. of Employees
<b>Add:</b>			
Neighborhood/Development Specialist	A07072N	6	1.0

Section 2. The new job description for the Neighborhood/Development Specialist in the City Development Department is attached, and copies of which shall be on file in the offices of the City Clerk, City Finance and Human Resources Department.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance and attached job descriptions shall be in effect from and after its passage and publication.

# ORDINANCES INTRODUCED

**Gen. Ord. No. 63 - 11 - 12. By Alderperson Dekker. February 6, 2012.**

**AN ORDINANCE** repealing and recreating Note 1 to the schedule of plan examination and permit fees contained in Section 26-38 of the Municipal Code so as to include cost of labor in determining permit requirements for minor alterations.

Was referred to the Committee on Public Protection and Safety.

**Gen. Ord. No. 64 - 11 - 12. By Alderperson Dekker. February 6, 2012.**

**AN ORDINANCE** repealing, recreating and amending various provisions of Chapter 26 of the Municipal Code entitled "Buildings and Building Regulations" so as to reflect changes in Wisconsin Administrative Code designations.

Was referred to the Committee on Public Protection and Safety.

**Gen. Ord. No. 65 – 11 - 12. By Alderperson Roeseler. February 6, 2012.**

**AN ORDINANCE** repealing Sections 82-125 and 82-126 of the Municipal Code relating to personnel regulations.

Was referred to the Committee on Salaries and Grievances.

**Gen. Ord. No. 66 - 11 - 12. By Alderpersons Roeseler, Versey, Dekker and Sampson. February 6, 2012.**

**AN ORDINANCE** establishing the salary for the Chief Administrative Officer.

Lies over under the rules.

# MATTER LAID OVER

**R. O. No. 338 - 11 - 12. By CITY PLAN COMMISSION. January 16, 2012.**

Your Commission to whom was referred Gen. Ord. No. 57-11-12 repealing and recreating the text of Subsection 15.205(12) of the City's Zoning ordinance relating to regulations applicable to large scale buildings, so as to include industrial buildings; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 10, 2012, and after due consideration; recommends approval of the Ordinance.

**Gen. Ord. No. 57 - 11 - 12. By Alderperson Sampson. December 19, 2011.**

**AN ORDINANCE** repealing and recreating the text of Subsection 15.205(12) of the City of Sheboygan Official Zoning Ordinance relating to regulations applicable to large scale buildings, so as to include industrial buildings.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subsection 15.205(12) of the Sheboygan Official Zoning Ordinance, entitled 'Large Scale Buildings', is hereby repealed and recreated to read as follows:

"Section 15.205. Regulations Applicable to All Land Uses.

...

(12) "Large Scale Buildings". All large scale retail, commercial and industrial buildings in excess of 20,000 square feet are subject to the following additional requirements:

**February 6, 2012**

- (a) Policy on vacation of existing sites. Where such a building is proposed as a replacement location for a business already located within the city, the city shall prohibit any privately imposed limits on the type of use or reuse of the previously occupied building through conditions of sale or lease.
- (b) In the event a Large Scale Building is vacated, the owner/developer shall submit a plan to the City for the continued maintenance of the property which addresses how the owner/developer will avoid any nuisance violations and/or the owner/developer shall submit a plan to the City which addresses the removal and/or the proposed reuse of the building. This plan must be submitted within twelve (12) months after the vacancy; provide however, the time limit may be extended by the Plan Commission upon showing of good cause.
- (c) Absolute building area cap. No individual retail and/or commercial building shall exceed a total of 155,000 square feet in gross floor area. This cap may be exceeded only by the granting of a conditional use permit.
- (d) Outlots. All buildings on outlots shall be of architectural quality comparable to the primary structure as determined by the Architectural Review Board."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

On motion by Alderperson Sampson and second by Alderperson Versey, the Report of Officer was accepted and placed on file and the Ordinance was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey □ 13.

Nays: None.

There being no further business, on motion by Alderperson Dekker and second by Alderperson Hammond, the meeting was then adjourned, all Alderpersons present voting "Aye".

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Mayor

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City Clerk